

CITY OF ALAMEDA

Memorandum

To: Honorable Mayor and
Members of the City Council

From: Lisa Goldman
Acting City Manager

Date: April 5, 2011

Re: Hold a Public Hearing to Introduce an Ordinance Amending Municipal Code
Section 30-7 (Off-Street Parking and Loading) to Improve and Clarify Off-
Street Parking Requirements in Alameda

BACKGROUND

Section 30-7 of the Alameda Municipal Code ("A.M.C. Section 30-7") establishes the requirements for off-street parking in Alameda. A.M.C. Section 30-7 explains when new off-street parking must be provided, how many spaces must be provided, where it may be located on the property, when it may be located off-site, and how the requirements can be reduced in cases where it is not feasible to provide the required parking on the property or the parking demand is reduced.

In 2008, the business community and staff identified a number of problems with the current ordinance requirements. These problems may be briefly summarized as follows:

- The number of spaces required for a new commercial use on an existing commercial parcel in Alameda is often infeasible or impossible to fit on the property. This is especially problematic on the many commercial properties in Alameda with historically significant buildings.
- The number of spaces required for many commercial uses exceeds the number recommended by the Metropolitan Transportation Commission and other entities that have studied the relationship between parking availability and regional and local policies and goals to reduce dependence on the automobile, encourage alternative modes of travel and reduce greenhouse gas emissions.
- The parking regulations and requirements caused the need for long and sometimes expensive entitlement processes for small businesses hoping to relocate to Park Street or Webster Street or small property owners hoping to redevelop underutilized commercial lots. These processes often culminated with the Planning Board being asked to waive parking requirements or waive expensive parking in-lieu payments to enable re-use or redevelopment of aging or under utilized properties in the historic retail areas.

City Council
Agenda Item #6-A
04-05-11

- While on-street parking spaces are often full (resulting in complaints about insufficient parking in commercial areas), private parking lots serving businesses in those commercial areas are often underutilized.

In 2008, in response to the business community's concerns, the City of Alameda commissioned a study of parking on Park Street and Webster Street. The study recommended a series of actions to improve parking availability and support the redevelopment and economic vitality of the City's historic main street areas. The 2008 Parking Management Strategy for the Park Street and West Alameda Business Districts is available for review in the City Clerk's Office (Exhibit 1).

On December 8, 2008, the Planning Board considered a proposed Parking Management Strategy for the Park Street and West Alameda Business Districts. The Strategy addressed a range of activities including but not limited to strategies to better manage the supply of public parking (meters, lots, and the parking structure) as well as recommended changes to the parking ordinance. On February 9, 2009, the Planning Board held a second public hearing to focus on the specific proposals for amendments to the off-street parking ordinance. At the meeting the Planning Board gave direction regarding the Board's preferred approach to the management and provision of off-street parking in commercial districts in Alameda.

On September 13, 2010, the Planning Board unanimously recommended a series of amendments to the City of Alameda Municipal Code off-street parking requirements. The recommended amendments improve the City's off-street parking regulations and procedures by:

- Clarifying when a new business or use will be subject to off-street parking requirements;
- Establishing new minimum and maximum parking requirements for certain types of businesses and uses in the Park Street and Webster Street commercial districts; and
- Clarifying opportunities for new businesses or uses to reduce their parking demand through Transportation Demand Management (TDM) programs, shared parking, employee parking passes, parking pricing, or off-street parking improvements.

DISCUSSION

The following analysis provides an overview and explanation of the amendments that are being proposed.

Subsection 30-7.1 Intent. The proposed amendments to this subsection are designed to clarify and explain that the City's off-street parking regulations must address not only off-street parking demand, but that they must also support and reflect the City of Alameda's economic development, historic preservation, transportation (including pedestrian, bicycle, transit), environmental sustainability, and greenhouse gas reduction goals and objectives.

Subsection 30-7.2. Accessory Parking Spaces Required. The amendments to this section are intended to simplify and clarify when a project or use would be required to meet the City's off-street parking requirements. As amended the following projects would be required to meet or address the off-street parking requirements:

- All new buildings.
- All new housing units.
- An expansion of commercial building floor area that is large enough to require five or more additional spaces.
- Reuse of a building with a conditionally permitted use. During the conditional use permit review process and hearing the staff and the Planning Board will have the opportunity to review the parking requirements for the new use. Any new or additional parking required can be required as a condition of approval on the use permit.

Subsection 30-7.6. Schedule of Required Off-Street Parking. This section is the part of the ordinance where the parking ratios for each type of use are specified. The proposed amendments introduce new minimum and maximum parking requirements for particular uses in the Webster and Park Street commercial districts. The amendments introduce best practices and standards for off-street parking in transit-oriented, pedestrian oriented environments and establish caps on parking to ensure that particular uses do not create oversized parking lots that encourage auto use and impair the pedestrian, transit, historic, or physical environment. Specifically, the amendments:

- Establish a new minimum and new maximum standard for dwelling units built above ground floor commercial spaces. With the amendments, such units must provide at least one space per unit, but no more than two spaces per unit.
- Establish a new maximum ratio for senior housing. As amended, the minimum would remain at $\frac{3}{4}$ of a space per unit, but a maximum of one space per unit would be added.
- Establish a new minimum and maximum for hotels and motels. As amended the minimum would be reduced to one space per room, and a maximum of $1\frac{1}{4}$ spaces per room would be added.
- Amend the requirements for general retail, banks, and minor repair services to reduce the minimum from one space per 200 square feet to one space per 350 square feet, and establish a maximum of one space per 200 square feet.
- Amend the requirements for professional offices, dentists, and doctors. The minimum is lowered to one space per 400 square feet and a maximum of one space per 250 square feet is established.
- Require that restaurants provide $6\frac{1}{2}$ spaces per 1,000 square feet and a maximum of ten spaces per 1,000 square feet.

The proposed amendments also:

- Change the method of measurement for additions to existing homes. As amended, an expansion of an existing residential building by 750 feet of floor area requires the

addition of one parking space. Currently, the addition of 500 feet of "conditioned" space requires one parking space unless the home already has the required number of spaces. The recommended amendment is designed to eliminate the need to determine "conditioned space" in a proposed addition, and bring the provision into alignment with the rest of the ordinance, which determines parking requirements by "total floor area". The current requirement to determine "conditioned" space has caused problems for both the permit center and Alameda residents wishing to make minor expansions to their homes. By increasing the threshold from 500 to 750 square feet, the threshold will not change significantly because most additions of 500 square feet of conditioned space are approximately 750 square feet of floor area.

- Clarify that mixed-use buildings can share parking if it can be demonstrated that the peak demand for parking from the various uses are compatible. Currently the code does not recognize that parking for a mixed-use building may be shared by all uses in the building.

As amended, the new requirements are a better reflection of the physical, historic, and economic constraints on redeveloping a commercial property on Park Street or Webster Street. The proposed reductions will not result in a significant reduction in the amount of parking actually provided by new businesses in Alameda. Experience over the last ten years has shown that when new businesses come to Park Street and Webster Street they cannot meet the existing parking requirements because the parcels are too small or the historic structures prevent construction of new large parking lots. Typically, these proposals are approved with parking reductions after a sometimes costly and time consuming entitlement process with City staff and the Planning Board.

It should also be understood that the amendments do not reduce the community's ability to determine whether a proposed project or use is appropriate for the commercial areas. Any use currently requiring public review (e.g. use permit, design review, or variance) will still require those discretionary permits.

Subsection 30-7.7. Separate or Combined Use of Facilities. This subsection addresses "shared parking". Under these provisions, a business may propose to meet the parking requirements by providing some or all of the required off-street parking on a different or nearby property. The 2008 parking study found that private lots are generally underutilized and that sharing of existing lots would be a cost-effective means to improve parking supply in commercial areas. The proposed amendments are intended to encourage and facilitate shared parking agreements by:

- Clarifying that a shared parking agreement is needed when the parking is on a different parcel of land and not when the two uses are on the same parcel.
- Requiring that shared lots have appropriate signage so that the customers are aware that they can park in the shared lots.
- Allowing the shared lot to be as far as 1,000 feet from the business (approximately three blocks on Park or Webster Street). Currently the limit is 400 feet.
- Requiring that the shared parking agreement term be at least ten years.

Subsection 30-7.8. Location of Parking Spaces and Prohibited Parking Areas.

This subsection establishes limitations on where parking can be located on a property. The proposed amendments address two issues: 1) location of parking for residential uses, and 2) location of parking for commercial uses.

1) Location of Residential Parking

The amendments are designed to resolve existing conflicts within the Alameda Municipal Code between Section 30-7, which govern required off-street parking and Section 8 and Section 4, which governs where and when a car, truck or recreational vehicle may be parked in certain places. Violations of Sections 8 and 4 are generally addressed through parking citations.

To remove conflicts between Section 30-7.8 of the Zoning Ordinance and Section 8 and 4, all references to where a person may park on their property have been removed. The provisions that remain preserve the existing prohibition of placing "required" off-street parking in the front yard area (typically the first 20 feet of the property), but the amendments remove the text that was sometimes interpreted as a prohibition on parking a car on the driveway leading to the garage or "required off street parking" (which is very typical). Section 8 and Section 4 allow parking in the driveway but not in the lawn area, within the front yard setback.

2) Location of Commercial Parking

The proposed amendments codify a long-standing policy in the City of Alameda that parking lots for a retail or commercial use should not be located in front of the building between the sidewalk and the commercial building. Currently the text of the parking ordinance allows required off street parking to be placed in front of a new commercial building. The amendments prohibit it, but also provide a mechanism for limited exceptions to the rule. As amended, the Planning Board could grant an exception if:

- It's an existing condition, or
- The nature of the use or the site requires that some of the parking be placed in front of the building (e.g. auto dealership).
- If the findings are made for an exception, the Planning Board must also find that the proposed parking in front of the building will not adversely impact pedestrian, bicycle, or transit access to the area.

Subsection 30-7.9. Parking Dimensions and Access.

The amendments to Section 30-7.9 prohibit new curb cuts on Park Street and Webster Street. Existing curb cuts could be moved, and new curb cuts would be allowed on side streets to access new lots located behind commercial buildings, provided the property does not already have a curb cut on the side street. The amendment is intended to codify long-standing practice and preserve the unique historic and pedestrian oriented character of Alameda's commercial districts.

Subsection 30-7.13. Adjustments in Parking Requirements This section explains how a business may request a reduction in the parking requirements. As amended, the section clarifies how an applicant may request Planning Board approval to reduce the parking requirements for the property. The section identifies five methods to request a parking reduction:

1. Implementing a Transportation Demand Management program that would reduce the demand for parking to less than the required amount,
2. Preparing a Parking Demand Study that shows that the parking demand will be less than the requirement,
3. Purchasing off site parking permits for employees,
4. Unbundling parking costs from leases,
5. Making off-site parking improvements.

Procedurally, the applicant would work with staff to develop a plan for Planning Board review and approval. The plan could include one or more of the optional mechanisms to reduce parking demand at the site. To approve the requested reduction, the Planning Board would need to find that the "parking demand will be reduced for the life of the project" with implementation of the proposed program.

FINANCIAL IMPACT

The proposed changes to the code will have no financial impact on the General Fund.

MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

The proposed changes are consistent with General Plan policies promoting vital, pedestrian-oriented commercial uses within the Webster Street and Park Street Commercial districts. The proposed amendments also support the policies, objectives and priority actions from the 2009 Transportation Element Update, 2008 Local Action Plan for Climate Protection, the 2008 General Plan Retail Policies Update, and City of Alameda economic development and historic preservation policies.

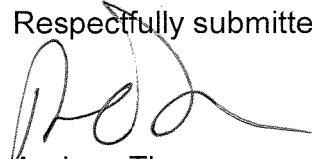
ENVIRONMENTAL REVIEW

The project is Categorically Exempt from additional environmental review pursuant to CEQA Guidelines Section 15305 Minor Alterations to Land Use Limitations.

RECOMMENDATION

Introduce an Ordinance amending Municipal Code Section 30-7 (Off-Street Parking and Loading) to improve and clarify off-street parking requirements in Alameda.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew Thomas', with a stylized, flowing script.

Andrew Thomas
Planning Services Manager

Exhibit:

1. 2008 Parking Management Strategy for the Park Street and West Alameda Business Districts-On file in the City Clerk's Office

CITY OF ALAMEDA ORDINANCE No. _____
New Series

AMENDING SECTION 30-7 OF THE ALAMEDA MUNICIPAL CODE RELATED
TO THE OFF-STREET PARKING AND LOADING SPACE REGULATIONS

BE IT ORDAINED by the City Council of the City of Alameda:

Section 1. Findings.

In enacting this Ordinance, the City Council finds as follows:

1. The amendments maintain the integrity of the General Plan. The proposed zoning text amendments are necessary to ensure that the off street parking regulations support General Plan policies related to economic development, sustainability, and the use of alternative modes of transportation. The proposed amendments will support the vital mixed use, pedestrian oriented shopping districts that are envisioned in the General Plan.
2. The amendments will support the general welfare of the community. The proposed zoning text amendment will not negatively affect the general welfare of the community. The amendments ensure that new, small businesses will be able to invest in Alameda and that uses that have a low parking demand will not be unfairly penalized by excessive parking requirements.
3. The amendments are equitable. The proposed zoning amendment is equitable in that it supports small businesses and property owners that are interested in investing in Alameda and provides processes for unnecessary parking requirements to be waived or reduced.

Section 2. Sections 30-7.1 and 30-7.2 of the Alameda Municipal Code are hereby amended to read as follows:

30-7.1 Intent.

The following off-street parking and loading requirements are established in order to achieve, among others, the following purposes:

- a. To relieve congestion on streets, and to provide more fully for the flow movement of traffic, including improving maneuvering of transit and emergency vehicles or street maintenance equipment;
- b. To protect neighborhoods from parking and vehicular traffic congestion generated by the adjacent nonresidential districts;
- c. To promote the general welfare and convenience and prosperity of

Approved as to Form

City Attorney

residential, commercial and manufacturing developments which depend upon the availability of off-street parking facilities.

d. To support and promote the economic viability and rehabilitation of Alameda's historic, pedestrian-oriented commercial districts; and

e. To ensure consistency between the City of Alameda's parking policies and regulations, pedestrian, bicycle, and transit policies, historic preservation policies, and environmental and green house gas reduction policies.

30-7.2 Accessory Parking Spaces Required.

Accessory off-street parking spaces (including access driveways) shall be provided in accordance with the schedule in subsection 30-7.6 and in conformance with other provisions of this article as a condition precedent to the occupancy of: ~~any use, and in conformance with other provisions of the article~~

a. ~~For all~~ New buildings;

b. ~~For all~~ New dwelling units and floor area added to existing buildings;

c. ~~For a~~ Any expansion of existing nonresidential buildings, which in any ten (10) year period would either, (i) be more than twenty-five (25%) percent of the existing gross floor area, (ii) require five (5) or more additional parking spaces as determined by the provisions of subsections 30-7.5, 30-7.6, or (iii) remove any existing on-site parking spaces required by this article.

~~d. For any change of use, number of employees, or seating capacity of an existing building less than ten (10) years old which is changed in a manner that would require twenty (20%) percent or five (5) or more additional off-street parking spaces as determined by the provisions of subsections 30-7.5 and 30-7.6;~~

d. Any change in use requiring a conditional use permit. When making a finding for the approval of a use permit for a use in an existing building, the Planning Board may require that additional newly created parking be provided on or off-site or that measures be imposed to reduce parking demand in accordance with Section 30-7.13. Any additional parking proposed in the public right of way shall be subject to the review of the Public Works Director.

e. ~~For Any Change From Residential to Nonresidential Use. When changes of use or building expansions require additional parking, the total~~

amount of parking required for the site shall be reduced by the amount of parking required by subsections 30-7.5 and 30-7.6, but legally not previously provided, for the prior use.

Section 3. Sections 30-7.6, 30-7.7, and 30-7.8 of the Alameda Municipal Code are hereby amended to read as follows:

30-7.6 Schedule of Required Minimum and Maximum Off-Street Parking Space.

Residential Uses.

~~1. Dwelling Units with three thousand (3,000) sq. ft. or less, of conditioned space—two (2) spaces per unit~~

~~2. Dwelling Units with over three thousand (3,000) sq. ft. of conditioned space—three (3) spaces per unit.~~

~~3. Notwithstanding the allowances of subsection 30-20: "Nonconforming Buildings and Uses," additional parking spaces, at the rate of one (1) per five hundred (500) sq. ft. of newly added conditioned space, shall be provided when a dwelling unit which is without the parking spaces required by paragraphs 1. or 2. is to be enlarged.~~

~~(a) No additional spaces, as otherwise required by this paragraph, are required once compliance with paragraphs 1. or 2. is achieved.~~

~~(b) Notwithstanding the requirements for perimeter landscaping prescribed by subsection 30-7.10a.2., existing driveways may be considered as parking space(s) if the proposed space(s) will be in conformance to the location requirements of subsection 30-7.8a.1., and the dimensional requirements of subsection 30-7.9.~~

~~4. Senior housing (see definition for restrictions) Three-fourths (3/4) space per dwelling unit; lower requirement may be approved by the Planning Board by the Permit if lower parking demand can be demonstrated.~~

~~5. Rooming house/bed and breakfast One (1) space per guest room plus one (1) space for resident family.~~

~~6. Hotel/Motel One and one-quarter (1 1/4) spaces per guest room plus space for resident manager.~~

~~7. Residential care facility One (1) space per three (3) beds plus one (1) space for resident manager.~~

~~b. Institutions and Places of Assembly.~~

~~1. Libraries, museums, art galleries One (1) space per five hundred (500) square feet of floor area.~~

~~2. Churches, theaters, auditoriums, lodge halls and mortuaries:~~

~~(a) Assembly areas One (1) space per fifty (50) square feet~~

~~(b) Administrative Office areas One (1) space per four hundred (400) square feet.~~

~~3. Bowling alley One and one-half (1 1/2) spaces per lane.~~

~~4. Night clubs, dance halls One (1) space per one hundred (100) square feet.~~

~~5. Public buildings, municipal and educational One (1) space per three hundred (300) square feet, plus adequate space for visitors as determined by the Planning Director.~~

~~6. Child care facilities, including family day care One (1) space per six hundred (600) square feet.~~

~~7. Skating rinks and swimming pools One (1) space per fifty (50) square feet of~~

skating or water area.

e. Commercial Office Uses.

1. Marinas—One (1) space per two (2) boat berths, except that live aboard berths shall require one (1) space per one (1) boat berth.

2. General retail, banks, minor repair services, One (1) space per two hundred (200) square feet of ground floor area; one (1) space per four hundred (400) square feet of upper floor space including mezzanines;

Professional office, doctor and dentist offices (including hospital outpatient services), One (1) space per two hundred fifty (250) square feet.

Restaurants, less than four thousand (4,000) square feet gross area—One (1) space per one hundred (100) square feet of gross floor area; four thousand (4,000) square feet or more—forty (40) spaces, plus one (1) for each fifty (50) square feet of seating area over four thousand (4,000) square feet.

3. Work/live studios—One and one-half (1 1/2) parking spaces for up to one thousand (1,000) square feet of floor area plus one-half (1/2) additional space for every additional five hundred (500) square feet of floor area above the first one thousand (1,000) square feet subject to compliance with all other applicable requirements. The provided parking shall comply with the requirements of Section 30-7. This parking requirement may be waived or modified subject to the requirements of Section 30-15.4(d).

d. Manufacturing and Industrial Uses.

1. Warehouse, storage—One (1) space per one thousand five hundred (1500) square feet.

2. Manufacturing, major—One (1) space per eight hundred (800) square feet.

e. Similar Uses. Uses not specified above shall utilize the same rates as the most similar uses specified above. Uses not specified above and distinctly different from the above uses shall utilize a rate determined by the Planning Director based on demonstrated demand for comparable facilities. Where distinctly different uses are combined in a signal project, the parking requirement for each use shall be calculated separately, then combined for a total parking requirement for the project. Uses ancillary to a primary use shall utilize the same rate as the primary use.

Use	Measurement	Min.	Max.
Residential			
Dwelling units 3,000 sq. ft. or less in size	Per unit	2	-
Dwelling units more than 3,000 sq. ft. in size	Per unit	3	-
Dwelling units located above ground floor commercial or retail uses within the Community Commercial district	Per unit	1	2
Dwelling Unit Additions – When a dwelling is enlarged on a property that is not in compliance with the minimum required parking, an additional parking space shall be added for each 750 square feet of added floor area until compliance is achieved. An existing driveway may be considered as parking space(s) if the proposed space(s) conform to the requirements of subsections 30-7.8, and 30-7.9. Conformance with subsection 30-7.10.a is not required.			
Senior housing (The Planning Board may approve a lower number of spaces if a lower parking demand can be demonstrated for the proposal.)	Per unit	¾	-
Rooming house/bed and breakfast	Per room	1	-
	For Resident Family	1	-
Hotel/Motel	Per room	1 ¼	-

	For Resident managers	1	-
Hotel/Motel within Community Commercial district	Per room	1	1 ¼
	For Resident managers	1	-
Residential care facility of more than six persons	Per 3 beds	1	-
	For Resident managers	1	-
Institutions and Places of Assembly			
Libraries, museums, art galleries	Per 1,000 sq. ft.	2	-
Churches, theaters, auditoriums, lodge halls and mortuaries: Assembly areas Administrative Office areas	Per 1,000 sq. ft.	20	-
	Per 1,000 sq. ft.	2.5	-
	Per 1,000 sq. ft.	1.5	-
Bowling alley	Per lane	1.5	-
Night clubs, dance halls	Per 1,000 sq. ft.	10	-
Public buildings, municipal and educational: All areas Visitor parking	Per 1,000 sq. ft.	3.3	-
	As determined by the Planning Director		
Child care facilities	Per 1,000 sq. ft.	1.7	-
Family day care with State license	Same as dwelling unit		
Skating rinks and swimming pools	Per 1,000 sq. ft. of skating/water area	20	-
Commercial Uses			
Marinas:	Per boat berth	0.5	-
	Per live aboard berth	1.0	-
General retail, banks, minor repair services Ground floor Upper floor space including mezzanines	Per 1,000 sq. ft.	5	-
	Per 1,000 sq. ft.	2.5	-
General retail, banks, minor repair services within the Community Commercial District Ground floor Upper floor space including mezzanines	Per 1,000 sq. ft.	2.9	5
	Per 1,000 sq. ft.	2.5	5
Professional office, doctor and dentist offices (including hospital outpatient services)	Per 1,000 sq. ft.	4	-
Professional office, doctor and dentist offices (including hospital outpatient services) within the Community Commercial District	Per 1,000 sq. ft.	2.5	4
Restaurants less than 4,000 sq. ft. or less in size	Per 1,000 sq. ft.	10	-
Restaurants more than 4,000 sq.ft. in size Seating area > 4,000 sq. ft. General seating	Per 1,000 sq. ft.	20	-
	Per restaurant	40	-
	Per 1,000 sq. ft.	6.25	10
Restaurants within the C-C Community Commercial District	Per 1,000 sq. ft.	6.25	10
Work/live studios Floor area beyond the 1 st 1,000 sq. ft. (Parking requirement may be waived or modified subject to the requirements of Section 30-15.4(d).)	Per Studio	1.5	-
	Per 1,000 sq. ft.	1	-
Manufacturing and Industrial Uses			
Warehouse, storage	Per 1,000 sq. ft.	0.67	-
Manufacturing, major	Per 1,000 sq. ft.	1.25	-
Similar Uses			

Uses not specified above shall utilize the same rates as the most similar uses specified above. Uses not specified above and distinctly different from the above uses shall utilize a rate determined by the Planning Director based on demonstrated demand for comparable facilities
--

Mixed Uses

Where distinctly different uses are combined in a single project, the parking requirement for each use shall be calculated separately, then combined for a total parking requirement for the project. Uses ancillary to a primary use shall utilize the same rate as the primary use

All square footage measurements in the table are for gross floor area unless otherwise specified.

30-7.7 Separate or Combined Use of Facilities.

Required parking may be shared between two (2) or more uses on the same or separate parcels subject to the following standard conditions:

- a. The shared parking facilities shall have sufficient spaces to meet the accumulated peak demand, as determined by the Planning and Building Director.
- b. The shared parking facilities shall include signs informing users that the facilities ~~be permanently that the facilities~~ are available to all affected uses.
- c. The shared parking facilities shall be within ~~four hundred (400)~~ one thousand (1,000) feet, by the shortest walking route, of the parcels with uses which generate the parking demand.
- d. A joint access and parking n-agreement with a term of at least ten (10) years between the affected parties, including the City of Alameda, in a form approved by the City Attorney, shall be entered into and recorded to constitute a covenant running with all affected parcels of land, specifying the terms of use of the shared parking facilities.

30-7.8 Location of Parking Spaces and Prohibited Parking Areas.

All parking spaces ~~whether required or in excess of~~ by this section, shall be provided on the same parcel as the use which is generating the parking demand. ~~A use permit shall be required if parking spaces, whether required or in excess of this section, are proposed on a separate parcel than the use which is generating the parking demand.~~ Parking spaces provided in compliance with this section are subject to the following additional requirements:

- a. Residential Zones, and Residential Uses in Non-Residential Zones:
 1. No required parking space may be located in any minimum required front yard, or in any minimum required side yard on the

street side of any corner lot. Parking spaces may be located within minimum required side and rear yards, subject to the requirements of subsection 30-7.10.a: Perimeter Landscaping Required.

~~2. The parking of vehicles within any minimum required front yard, or in any minimum required side yard on the street side of any corner lot, is prohibited. (a) Exception to parking prohibition: Driveways used to provide access to required parking spaces may be used to provide ancillary parking provided the parking is not located in the required front yard or the street side yard of any corner lot. Driveways used for such ancillary parking may not exceed the maximum permitted widths as prescribed by subsection 30-7.9.f.1(a). Such ancillary parking shall not be considered toward meeting the requirements of subsection 30-7.6: Schedule of Required Minimum Off-Street Parking Spaces.~~

~~3. See subsection 30-5.7f for additional provisions related to the location of garages.~~

~~b. Non-residential Uses in Non-residential Zones. Parking spaces may be located between the main building(s) and the street frontage(s), subject to the requirements of subsection 30-7.10.a: Perimeter Landscaping Required.~~

~~c. Non-residential Parking in Residential Zones. Parking for uses not allowed in a residential zone shall not be located in that residential zone.~~

~~3. 2. See subsection 30-5.7.f for additional provisions related to the location of garages.~~

- b. ~~Non-residential Uses in Non-residential Zones. Parking spaces may~~ shall not be located between the main building(s) and the street frontage(s), subject to the requirements of subsection 30-7.10.a: Perimeter Landscaping Required, The Planning Board may upon request approve parking located between the main building(s) and the street frontage(s) through Design Review approval if it can be demonstrated that (i) to locate the parking in conformance with subsection 30-7.8 b would not constitute a change in the existing conditions on the site, or (ii) the nature of the proposed use or the configuration of the property requires that some or all of the parking be located in front of the building, and (iii) the design of the parking area and driveways will not adversely impact pedestrian, bicycle, vehicular, or transit visibility, as defined by Section 30-5.14(b)10 or access in the vicinity of the site as determined by the Public Works Director.

- c. Non-residential Parking in Residential Zones. Parking for uses not allowed in a residential zone shall not be located in that residential zone.

Section 4. Section 30-7.9.f.2 of the Alameda Municipal Code is hereby amended to read as follows:

2. Curb Cuts. *e.g.*

(a) No more than one (1) curb cut per lot shall be allowed, except for service stations where access shall be limited to a maximum of two (2) curb cuts, unless otherwise approved by the Planning and Building and Public Works Directors. These service station access points may be directionalized (i.e. one way, no left turn etc.) at the discretion of the Public Works Director. Existing service stations shall be brought into compliance whenever modifications requiring a permit are approved.

(b) Notwithstanding subsection (a) above, new curb cuts for automobile access to new, expanded, or existing off-street parking lots are prohibited on Park Street and Webster Street frontage within the CC zoning district. Existing curb cuts may be relocated, or access may be provided from a side street, provided that the property does not already include one curb cut on the side street or has sufficient frontage on the side street to safely accommodate the additional curb cut, as determined by the Public Works Director. If access cannot be provided from an existing, relocated, or side street curb cut, then the project applicant may request a waiver of this requirement or reduction in parking requirements in accordance with subsection 30-7.7, or 30-7.13 as approved by the Planning and Building and Public Works Directors.

(c) Whenever possible, applicants should consider combining driveways with existing adjacent developments or locate the driveway to allow for future joint access and parking agreements with redevelopment of adjacent properties.

Section 5. Section 30-7.11 of the Alameda Municipal Code is hereby amended to read as follows:

30-7.11 Design Review.

All parking lot improvements ~~visible from any public right of way~~, including parking lot fencing and landscaping, shall require Design Review under Section 30-37 et seq.

Section 6. Section 30-7.13 of the Alameda Municipal Code is hereby amended to read as follows:

30-7.13 Reductions in Parking Requirements.

(1) The schedule of required minimum off-street parking provided by subsection 30-7.6 may be reduced, upon approval of the Planning Board, if the applicant can demonstrate that parking demand will be reduced for the life of the project through one (1) or more of the following methods:

~~a. Transportation systems management techniques such as employee subsidies for public transit, employee subsidies for car and van pools, employer sponsored and organized car and van pools, free transit passes for shoppers in retail project, etc. To qualify for a parking reduction, the applicant must enter into an agreement with the City which includes monitoring and enforcement provisions as approved by the Planning Board.~~

~~b. Improvement of bus stops, including providing bus shelters, benches, turnout areas, etc.~~

~~c. Payment to the City of in lieu fees, equal to the current estimated per square foot value of the land, multiplied by the difference between the number of required and provided parking spaces, multiplied by two hundred fifty (250). In lieu fees shall only be allowed where the City can identify appropriate uses for the funds reasonably related to the project. Appropriate uses shall include but not be limited to acquisition of land for parking, construction of new parking facilities, improvements to existing off street or on street parking facilities including landscaping, installation of bicycle lanes and paths, and installation of bicycle racks and lockers. Funds raised by in lieu payments shall not be used for routine maintenance.~~

a. Transportation Demand Management (TDM) Program: TDM Program measures include programs, plans, and/or improvements designed to change individual travel behavior to encourage greater use of alternative modes of transportation, reduce single occupancy vehicles, and reduce parking demand. The program shall include proposed performance targets, and justifications for single occupancy vehicle trips and parking reductions, and shall designate a single entity, such as the property owner, business owner, or homeowners association to implement and monitor the required measures. The program shall also include a monitoring and reporting procedure and a list of supplementary measures that will be implemented if the initial performance targets are not met, as determined by the monitoring procedures. The monitoring reports shall be required and submitted two years after building occupancy and on a yearly basis thereafter for an additional 5 years. If the monitoring reports indicate that performance measures are not met, the responsible entity must implement the supplemental measures identified in the TDM Plan. The TDM Plan and monitoring and reporting procedure shall be prepared by a licensed transportation professional and approved by the Public Works Director. Failure

to submit reports or meet performance targets after implementation of supplemental measures may result in the revocation of the project's use permit or approvals.

b. Parking Demand Study: A Parking Demand Study demonstrates that the demand for parking from the use is less than the minimum required by subsection 30-7.6. The parking demand study shall be prepared by a licensed transportation professional and approved by the Public Works Director.

c. Employee Parking Passes sufficient to meet the TDM plan demand reductions required under 30-17.13 a: Purchase of long term parking passes for employees to park at an existing public parking lot or structure within 1000 feet of actual walking distance of the site may be provided in lieu of off-street parking on the site. The long-term passes must be provided and maintained for as long as the business is in operation. The proposal must include an annual reporting mechanism to confirm that the employee parking passes are being purchased by the business requesting the parking reduction.

d. Off-street Parking Improvements: Improvement of public parking facilities including but not limited to provision or acquisition of land for public parking, construction of new public parking facilities, improvements to existing off-street or providing additional on-street parking facilities may be proposed in-lieu of providing on-site parking. To approve the proposed improvements in lieu of on-site parking, the Planning Board must find that the proposed improvements will result in additional public off-street parking spaces equivalent in number to the number of spaces that will not be provided on the site. The applicant shall agree to complete the improvements prior to obtaining a permit to occupy the building, whether permanently or temporarily.

e. Unbundled Pricing. Separating or "unbundling" the cost of parking from the cost of the lease or the cost of a condominium unit in a multi-unit residential or commercial condominium project may be proposed to reduce the off-street parking requirement.

(2) When considering a request for a parking reduction pursuant to one or more of the methods available pursuant to (1) above, the Planning Board may condition approval of the reduction upon agreement that all or some of the existing parking shall be made available for shared use with signs indicating that the parking may be used by the public even if the user is visiting a nearby, off-site business. Applicant may charge a fee for shared visitor parking to cover its costs to maintain and operate the parking.

(3) If the Planning Board approves a parking reduction, the number of bicycle parking required on site shall be determined by the original number of parking spaces required by this code and shall not be reduced unless specifically reduced by the Planning Board.

Section 7. Severability Clause. It is the declared intent of the City Council of Alameda that if any section, subsection, sentence, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provision of this ordinance.

Section 8. This ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Section 9. California Environmental Quality Act (CEQA). The proposed amendments are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305 Minor Alterations in Land Use Limitations.

Presiding Officer of the Council

Attest:

Lara Weisiger, City Clerk
City of Alameda

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by Council of the City of Alameda in regular meeting assembled on the ____ day of _____, 2011, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2011.

Lara Weisiger, City Clerk
City of Alameda